

REMARKS

In an Office Action mailed on August 23, 2006, claims 20-28, 35, 37 and 39-47 were allowed; claims 48 and 52 were rejected under 35 U.S.C. § 102(e) in view of Faulcon; and claims 49-51 and 53-56 were objected to as being dependent upon a rejected base claim but were indicated as being allowable if rewritten in independent form.

Regarding the § 102 rejection of claim 48, the Examiner contends that Faulcon anticipates claim 48 because the early/late phase represents a degree of skew. Office Action, 2. In particular, the Examiner contends that the up/down counter keeps counting up or down depending the early/late phase signal, and the counted value is the particular delay that is coupled to the data path.

Although Faulcon's counter indicates a degree of skew, claim 48 specifically recites regulating a timing relationship based on a degree of skew *indicated by the duty cycle (emphasis added)*.

Thus, as previously pointed out, the early/late signal does not constitute a signal whose duty cycle indicates a degree of skew between data and clock signals. For example, if the data signal is early with respect to the clock signal, the early/late signal would maintain the same logical state, regardless of how early the data signal is relative to the clock signal. Likewise, if the data signal is late with respect to the clock signal, the early/late signal would maintain the opposite logical state, regardless of how the late the data signal is with respect to the clock signal.

There is no teaching in Faulcon that the value of the counter has a duty cycle that represents the degree of skew. Therefore, although a value that is indicated by the counter may indicate a degree of skew, claim 48 specifically sets forth that the degree of skew is indicated by a duty cycle. Without this disclosure, Faulcon fails to anticipate independent claim 48.

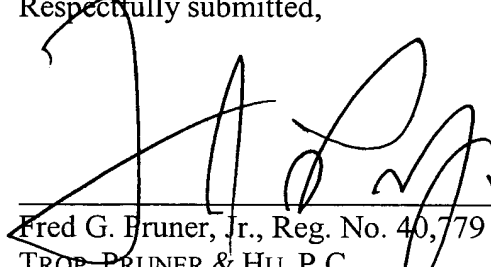
For similar reasons, Faulcon fails to anticipate independent claim 52, as this claim recites a detector that generates at least one pulse train signal, where a duty cycle of the pulse train signal increase or decreases with a degree of skew. Neither the late/early signal nor the counter value of Faulcon constitutes a pulse train signal; and neither one of these signals indicates a

degree of skew based on its duty cycle. Therefore, for at least any of these reasons, Faulcon also fails to anticipate independent claim 52.

CONCLUSION

In view of the foregoing, Applicant respects a favorable action in the form of a Notice of Allowance. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0294US).

Respectfully submitted,



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Date: November 20, 2006

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